

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 6/16/2023
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
	:	
-against-	:	1:14-cr-225-GHW
	:	
JOEL BRANFORD,	:	
	:	<u>ORDER</u>
	:	
Defendant.	:	
	:	
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GREGORY H. WOODS, United States District Judge:

Earlier today, Petitioner Joel Branford filed a motion under Rules 52(b) and 59(e) of the Federal Rules of Civil Procedure. Dkt. No. 284 (the “Motion”). The Motion requests that “this Court invoke its discretion to alter or amend its May 23 judgment after making additional findings of fact or conclusions of law concerning” Petitioner’s “2255 and valid discovery request.” Motion at 5. In the alternative, Petitioner requests that the Court “grant movant IFP status and issue him a COA” *Id.*


The Motion is denied. The Court has ruled on Petitioner’s petition for *habeas* relief. The Motion presents insufficient basis for the Court to alter or amend its judgment. Nor does it provide sufficient justification for the Court to modify its conclusion that Petitioner should be denied leave to appeal in forma pauperis and that the issuance a certificate of appealability is not warranted.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444–45 (1962). Mr. Branford has not made a substantial showing of the denial of a constitutional right, so the Court denies a certificate of appealability under 28 U.S.C. § 2253.

The Clerk of Court is directed to terminate the motions pending at Dkt. No. 284. The Clerk of Court is directed to mail a copy of this order to Mr. Branford.

SO ORDERED.

Dated: June 16, 2023
New York, New York



GREGORY H. WOODS
United States District Judge